P

Preserved

App. F. IX-4

192 ann.

File No. 68-27

Previous References

Serial Nos. 1-6

Later References

Law 9-29. 394.
" 75-29-1-8
93-31-1-2
" 75-29-9-11
" 16-35(1-4)

General and Revenue Secretariat.

Serial Nos.

Part B for Jan 1929

SUBJECT

P.J. no. 18 of 1926-27 Dist Land System
Divisional Officers Appointment Powers &c.

B.R.Sen/ac.
17.1.29

G. R. S. III—3]

(26-V)

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Original Suit No 18 of 1926-27.

No 1928 d 21/6/1927, from the Dt Judge Mysore, to Chief Secretary to Govt States that

C. Purusho-Ramananda guru gosvami by agent K. M. Datta has filed a suit against 1. Chief Secy to Govt 2. Inspector General and D. Mysore, and that the case stands adjourned to 27-6-1927 and asks us that Chief Secy to appear in person or by pleader

Says the notice alleged in the plaint is not found in the Records of notice No papers relating to the case are traceable in the Branch the two Nos were Searched Since the Suit stands adjourned to 27-1-1927 Perhaps the papers may be returned to Dt. Judge. for Record Jeremy a distant date

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Mella 24/6/27

The Inspector Genl: would have to be consulted also which requires time -

D Dr may be asked to appear

24/6

draft and fair Sd. Mella 25/6/27.

Sd 25/6

3070 3063/P

App. F. III—2]

General and Revenue Secretariat. | File No. | of 192

3

Serial No.

the Muzrai Regn and passed an order directing resumption of villages and the temple to govt. After the order the agent of the so called trustee K Sn. Dutt filed a suit - O. S. 18/26-27 on the file of Dt-Judge against the Pehlwn Secy & D.C Mysore The Pehlwn and ryots are interested in the better management of the villages and trust property - while the temple Pehlwn and others were parties in the Muzrai case before D.C. They say ✗ they should be made parties to the present suit - The D.C Mysore has asked them to give instructions in the case the States he is old and cannot go into the whole of the previous litigation and so cannot give proper instructions and so he prays that the Govt. lawyer who conducted the case may be asked to help the Public Prosecutor and engaged for the Co

A.

B.

Whether the pehlwn and others should be made parties to the present suit - and whether the lawyer acquainted with the previous history of the trial etc may be engaged with the P. Pr Mysore are the two points for orders

The connected file is placed below for ready reference

Legal Remr
Secy & D

20/12/27.

Since the petrs offers to engage a Lawyer at the expense of the ryots of the villages & since the P. Pr, there is no objection for the Govt to agree.

Subd:
A petition was received to-day stating that the party waited upon the Law Secy and as per orders will submit detailed instructions and information as to the case which has been placed to-morrow in the file.

NOTE—Contn. sheet.

20/12/27

4/1582&23 for

WD 0324—GPB—60,000—24-5-27

GEN. SECRETARIAT.
4 JAN 1928
MUZRAI
0857

3083/27

O.S. 18 of 26 vs Dhet Mysore Parushuthama Bramsajin

[Apps. F. III—2]

General and Revenue Secretariat.	File No.	of 192	5

Serial No.

The Endt has been issued.
The file may be sent back
to Law Secty.
Submitted
Sd 12.1.28 12.1.28

Law Secty

Sub of perusal

Law 13/1

Secy 13/1

Secy 16/1.

Secy 17/1/28

From the Quarterly returns for the quarter ending 30th Septr 1928, this suit was posted to 20-11-28 for further evidence — No further progress has to be awaited —

Secy 5.1.29

Sd 8/1/29

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

petitioner and some important members of the village as parties to the suit. The defendants did not bring this fact to the notice of the court in their written statement. If the petitioner and the other members were made parties, they would have been in better position to substantiate the Muzrai Order by producing relevant evidence in consultation with their Lawyer who has handled the Muzrai case and other connected cases both Civil and Criminal. Now that right is denied to the petitioner.

8. The Deputy Commissioner again in his letter No. H 116/A.C. dated 29-11-1927 asked the petitioner to give instructions in the case. The petitioner is an old man without any knowledge of English. There were previous litigations between Gosai and the villagers of Bharathipur and Margonahalli and there ~~are~~ is abundant evidence both documentary and oral to prove the fact of the public nature of the Trust and mismanagement of villages, Trust property and the temple. The list appended to this, will show the volume of Litig~~utic~~ation, since the records of those cases are all in English, the petitioner is not in a position to know all of them and give ~~an~~ proper instructions. At the same time. it is not possible for the petitioner to visit the office of the Public Prosecutor when he is busy with other criminal cases which are of greater importance to the Government In view of so many cases. and other records and the personal inconvenience of the petitioner, The petitioner feels difficult to give any instructions in the original case without the help of his Lawyer who conducted those cases and who is aware of all the records.

9. For the foregoing reasons, the petitioner prays that his lawyer might be engaged along with the Public Prosecutor to give full instructions - for proper disposal of the case according to Law - and Justice and the petitioner and the villagers be relieved of their anxiety and trouble.

BANGALORE CITY,
17th Decr.1927.

The petitioner begs to remain,
S i r,
Your most obedient servant,

List of cases between parties is appended for kind perusal.

మైసూరు డిస్ట్రిక్ట్ జడ్జియు వరదరాజులు చుట్ట బరి జనరల్ నం 18/26-27
నెంబరు నల్లి ఎవి కోర్టుకు చుట్టం గిరువ రిపోర్ట్ రద్దిలో.

మైసూరు ప్రభు కృష్ణమూర్తి నాథ గిరియుంచరిగూ
మరిత్తి గం జాయమే బిళ్ళ సీనా దాం యిట్టోళ్ళు వరళ్లేఅట్టర
నరసింహ దాస్ మీంయుచర కోవ చట్టానళ్ళ కోర్టుద
మెంయుంచు ట్లో మూసేసూర్ నడుళ్ళి బ్రూం రకోర్ట్ ప్రభు
శ్రీ రంగ నళ్ళు నాం నవేదికర రద్దిలో చెన్న చట్టారనళ్ళ మూ
ఖదమోళ్ళ రద్దిలు.

1 మైసూరాంరు సబ్ జడ్జియుచరదరాజులు గం నం 56/17-18 కోర్టు నెంబరు
2 తే 4.1.1921 కృష్ణరు మోసిప్పళిం రంయి తనచరిసేలంజుర
3 రిజిస్ట్రారు జె కోడళి తాం 2nd క్లాస్ సబ్ మూంజిస్ట్రేట్ చరదరాజులు
శ్రీ యు నల్ల యిది 4 ఇట నెంబరు రచ్చు 21-22
4 ట్రై ఆఫ్ రాంప్ 2 నళ్ళా తే మూంజ సబ్ జడ్జి రాజులు శ్రీ యనసల రోడ్ నం 882/21-22
5 ది చీఫ్ రాజులు శ్రీ యు నతో రోడ్ నెం 152/21-22
6 రిజిస్ట్రారు జనరల్ రు 1st క్లాస్ మూంజిస్ట్రేట్ రాజులు శ్రీ యు నల్ల యింది No. 10/21-22
7 మైసూరు చీఫ్ రాజులు యింది జడ్ నం 91/23-24
8 ట్రై రాంప్ 2nd క్లాస్ మూన్సి రాజు శ్రీ యు నల్ల గం 176/22-23
9 మైసూరు 1st రా మూన్సి కోర్టు శ్రీ యు నల్ల గం 2/23-24
10 రిచీఫ్ రాజులు శ్రీ యు నల్ల రోడ్ నం 34/25-26
11 30.10.1923 రల్లి కు జరకే యిమాన్ కారు చోరిసే చుట్టి
సిద మూం చీఫ్ రాజు రంయుల్ రిరాకోర్ట్
12 19.11.24 రల్లి బు చుట్టిసి కమిటీ చీఫ్ రాజులు
13 మైసూరాంరు మరు జరి యిన్ గం 399/24-25

శ్రీ రంగ పట్టణ మరు నకోవెల రాజులు చీఫ్ రాజులు

Small cass no 242/23-24
36/24-25

Small cas ಸಂ 850

23-24

8

24-25

269 — 24·25

266 — 24·25

281 — 24·25

82 — 24·25

271 — 24·25

921 — 24 — 25

268 — 24·25

922 — 24·25

80 — 24·25

270 — 24·25

ಸಂಖ್ಯೆ ಮೊದಲಿನ ಎರಡಂಕಿಗಳ ಸಂಖ್ಯೆಗಳು

808 — 23·24

800 — 23·24

819 — 23·24

821 — 23·24

822 — 23 — 24

873 — 23 — 24

820 — 23 — 24

881 — 23·24

216 — 24·25

218 — 24·25

221 — 24·25

223 — 24·25

905 — 24·25

910 — 24·25

912 — 24·25

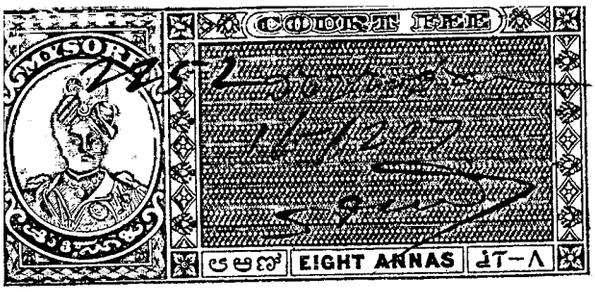
916 — 24·25

987 — 24·25

328 — 24·25

230 — 24·25

977 — 24·25



ಶ್ರೀರಂಗಪಟ್ಟಣದ ಮುನ್ಸೀಫ್ ಕೋರ್ಟಿನಲ್ಲಿ.

ಸಂ 1926 1927 ನೇ ಇಸವಿ O.S. No 18 ಸೇರಿಕೆಯಾ ನಂಬರು:

ವಾದಿ. ಪ್ರತಿವಾದಿ.

Mr Purushottamanandar
for Gosai Agent by
K M. Dutt

VS

1) Chief Secretary to Govt
2) Deputy Commissioner Mysore District.

ಮಾ|| ರಾ|| ಪ್ಲೀಡರ್ ಜಿ. ವೆಂಕಟನರಸಿಂಹಯ್ಯ ಬಿ. ಎ. ಎಲ್. ಎಲ್. ಬಿ. ಯವರಿಗೆ.

ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ನಾಮಾ

ಮೇಲ್ಕಂಡ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ಪರವಾಗಿ ಆಜ್ಞೈರು ವರೆಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ಏವಾದ ಜರುಗಿಸಲಿಕ್ಕೂ, ಪರವಾಗಿ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರ್‌ನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರೀಕ್ರಮ ವಗೈರೆಗಳನ್ನೂ ನಡೆಸಿ ಹಣ ವಸೂಲ್ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ಸೆಲ್ಲಬೇಕಾಗುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು, ಮತ್ತು ರೀಫಂಡಾಗತಕ್ಕ ಮೊಬಲಗು, ಮತ್ತು ಸ್ಟ್ಯಾಂಪನ್ನು ಪಡೆಯಲಿಕ್ಕೂ, ದಸ್ತೈವೈಜು ವಗೈರೆಗಳನ್ನು ಮತ್ತು ಈ ಸಂಬಂಧವಾದ ಇತರ ಕಾರ್ಯಗಳನ್ನು ಮಾಡುವುದಕ್ಕೂ ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ಈ ಮೂಲಕ ತಮಗೆ ಸಂಪೂರ್ಣ ಅಧಿಕಾರವನ್ನು ಕೊಟ್ಟಿದೇ

ಈ ಆಧಾರದ ಮೇಲೆ ತಾವಾಗಲೀ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಲಾಯರಾಗಲೀ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡೆಸುವ ಕೆಲಸಗಳನ್ನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧ ಗಿದೇ

ತಾರೀಖು.....192

ಈ ವೊಕ್ತ್ಯಾರ್ನಾಮಾ ಅಂಗೀಕರಿಸಿದೇನೆ.

ಈ ವೊಕ್ತ್ಯಾರ್ನಾಮಾ ಕೊಟ್ಟವರು
ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಲಕ್ಷ್ಮೀನರಸಿಂಹ ಪ್ರೆಸ್, ಮೈಸೂರು.

[illegible]

[illegible]

[illegible] 379

[illegible] 24-25

[illegible] 5-11-1927

[illegible] 10 [illegible]

[illegible]

[illegible] 70 [illegible]

[illegible]

[illegible]

[illegible]

[illegible] 18/26.27

[illegible]

[illegible] 22-12-1927 [illegible]

[illegible]

3083

P 8

3177
P77
9

GEN. & REV. SECRETARIAT.
13 JAN 1928
MUZRAI
0832

తారీఖు 21-12-1927 రవ్వ కొట్టాపల్లి వెంకటాపురం గ్రామం లో
ఉన్న కాపు కులస్థుల సభ కొరకు ఏర్పాటు చేయబడిన
కాపు కుల సంఘ సభ్యుల సమావేశం లో
ఆ సంఘ అధ్యక్షులు శ్రీ కొట్టాపల్లి వెంకటాపురం
గ్రామ కరణం గారు చేసిన ఉపన్యాసం

తారీఖు 21-12-1927 రవ్వ కొట్టాపల్లి వెంకటాపురం గ్రామం లో
ఉన్న కాపు కులస్థుల సభ కొరకు ఏర్పాటు చేయబడిన
కాపు కుల సంఘ సభ్యుల సమావేశం లో
ఆ సంఘ అధ్యక్షులు శ్రీ కొట్టాపల్లి వెంకటాపురం
గ్రామ కరణం గారు చేసిన ఉపన్యాసం

10

Dated 30 – 10 – 1923.

(7)

To Rajamanbhradhurina,

Albion Rajakumar Banerji, Esquire, M.A., I.C.S., C.I.E., C.S.I.

Dewan of Mysore,

Bangalore.

Sir,

The residents and land-holders of Khayamgutha Bharatipur and Margonahalli villages in Krishnarajpet Taluq, humbly beg leave to state as follows:-

Bharathipur and Margonahalli villages of Krishnarajpet Taluq were originally granted as Inam to Aliya Lingaraj Urs on Khayamgutta Tenure by the late Krishnaraj Wodiyar Bahadur IIIrd on 17-11-1828, and subsequently acquired by Venkatagiri Bavaji by purchase on 3-10-1872, from the original grantee.

These villages consist of more than one thousand and two hundred population and about 950 acres of land with a total Jamabandi of about Rs.2000/- and pay an annual Khayamgutta of about Rs.1200/- to the Government. The ryots of the villages own the soil and have been cultivating their lands since a very long time paying assessment for the same to the Inamdar. Each land in these two villages is in the Khata of its owner and is heritable and transferrable. This occupancy right was always recognised even by the Inamdars.

The predecessors of Venkatagiri Bavaji in the line of Guruocs had built the Temples of Narasimheswara and Rathneswara near their Asram at Ganjam known as "CHIKKAGOSAI GHATTA" and established deties therein to perpetuate their Memory.

In order to place the maintenance of these Temples and worship therein on a lasting basis and above want, the said Venkatagiri Bavaji endowed the Deities with two villages of Bharathipur and Margonahalli of which he was the owner on 14-9-1880. One of the terms of the endowment was that management of the Endowment which included collection of Kandayam from ryots, payment of Kharamgutta to Government and the upkeep of the temples and their worship

worship should continue to vest in his successors in the line of chelas.

The said Venkatagiri Gosai while alive was collecting the Suvarnadaya from ryots owning soil and was satisfactorily managing the trust with the help of his Chela-Someswaragiri Bavaji. He died in 1914 leaving behind him as Chela Someswaragiri and grand-chela Ramachandragiri Goswamy whose adoption as Chela to Someswara giri, he had personally arranged and brought about.

Someswaragiri,the successor of Venkatagiri Gosai was weak man of affairs. E.Purushothamanandagiri of Mysore between whom and his ancestors on the one side and Venkatagiri Gosai on the others there were several litigations and much bitterness and estrangement, took advantage of this infirmity in Someswaragiri and fradulently prevailed upon nim to transfer the right of manage ment of this trust by a release deed which immediately repudiated and cancelled. In consequence litigation arose but ended in a compromise according to which Purushothamanandagiri became entitle to the rights of Someswaragiri i.e. the right of managing the trus during his life.

Having assumed the trusteeship Mr.Purushothamanandagiri was not the man to be content with the Kandayam the occupying ryots we paying from times immemorial, he claimed the soil itself and de-manded from the ryots the surrender of their lands which was un-ceremoniously refused. Annoyed at this resistence of the villagers he began to lay schemes of depriving the ryots of their lands by unfair means by over awing, by using violence and by involving them in a number of expensive cirminal litigations. With this object in view, he won-over to his side his Shanbhogue Venkatarao and also raised a gang of desparate rowdies who acted in a most lawless manner at his instigation. These persons, just to strike terror into the villagers and coerse them into submission, assaulted the innocent, molested the women, looted their poultry and sheep and carried away all the garden produce. When these partisans of Purushothamanandagiri attempted to prevent owners of the soil from reaping their crops in December 1921, complaints were made against this highhandedness to the Deputy Commissione

and on enquirv in criminal Miss,4 of 21-22, the Amildar Magistrate of Krishnarajpet directed E.Purushothamanandagiri and his men not to interfere with the ryots ~~are~~ or their crops in any manner.

Being baffled in his attempts to forcibly carry away the crops E.Purushothamanandagiri caused a complaint of mischief trespass and theft to be filed against twelve villagers by his creature Shanbhogue Venkata Rao which was dismissed, by the Special Magistrate of French-Rocks in C.C. 80 of 21-22 Purushothamanandagiri made another petition against 9 others of Bharatipur in Cr. Mis. 10 of 21- 22 of before the First Class Magistrate of Krishnaraja sagar alleging that these nine persons were obstructing him in the enjoyment of certain lands and obtained an order attaching hundreds of acres of lands by misrepresentation behind the back of their owners which was subsequently released on the representations of the villagers.

In the meanwhile Mr.E.Purushothamanandagiri made desparate attempts to take possession of the houses and lands of Someswara giri by force but was repulsed as the house was in the occupation of Someswaragiri and the lands in the possession of one Nanjundia who had purchased them.

Someswaragiri Bavaji died on 22-11-22 and with his death the rights of Mr.E.Purushothamanandagiri ~~against the purchaser~~ as trustee ceased; the right of managing the trust having passed on to ~~Nanjundiah above named~~ Ramachendragiri the chela of Someswaragiri ~~and several other lead~~. Immediately a complaint was made by Mr. E. purushothamanandagiri against the purchaser Nanjundia above named, Ramachandragiri & several other leading villagers alleging that these persons broke his house and placed therein the dead body of Someswaragiri (C.C.179 of 22-23, French-Rocks Special Magistrate Court).

Mr.E.Purushothamanandagiri had employed in his service one Subba Rao who was a Sub Inspector of Police in Krishnarajpet Taluk for some years and recently removed or retired from the service. By the influence of this man Mr.E.Purushothamananda-giri with a strong body of his partisans and mercenaries from Nanjangud Taluk arrived at Kotatigere a village about a mile from Bharatipur - intending to forcibly oust Ramachendragiri Bavaji from his house and the ryots from their lands and to

destroy crops and comit other excesses. Then your humble petitioners petitioned the Deputy Commissioner of Mysore and but for the timely arrival and action of the present Superintendent of Police, the attempts of Mr.E.Purushothamanandagiri and his mercenary hordes would have ended in rioting, looting on the village and bloodshed. Though this was averted for the time being several false complaints have been made against the villagers. From his troubles the ryots are unhappy and if he is not disturbed the same kinds of troubles for the villagers will be given by them in future also. If so we are, forced to leave the villages.

During the time of Venkatagiri Bavaji and Someswaragiri the net income from the villages amounting to about Rs.500/- was utilised for the temples at Ganjam. The deities were regularly worshipped by brahmin poojaris with becoming pomp and ceremonies. The deties have got a large number of devotees of whom the petitioners are a few.

After Purushothamanandagiri took up the management of the trust he began defiling the temples and the deties therein by saying that they are the tombs of his ancestors and causing deep pain to the numberless devotees of the deities. In addition to this all the usual religious services in the temples have been stopped. By the niggardless of the manager the deities are not worshipped and the temples are in a woeful condition of neglect and disrepair thus defeating the pious intentions of the holy donor.

Purushothamanandagiri's record is such as to unfit him for the position of Manager of a religious trust. He is said to have preferred a false complaint against a respectable citizen of Bangalore for criminal breach of trust and to have been made to pay Rs.500/- as compensation for the agrieved party for malicious prosecution (C.C.76 of 198/1912 before City Magistrate, Bangalore, O.S.40 of 1912-13 Before Sub Judge, Bangalore). Further he is said to have filed suits for large sums of money against one Venkatasubba Sastry which was dismissed, the judge describing the document produced by Purushothamanandagiri to support his claim as forgeries and awarding

awarding compensation of Rs.150/- for the defendant Venkata Subba Sastry (O.S.14 of 1902-03 on the file of the Sub Judge, Mysore). It would be tedious to ennumerate all such things about him and the petitioners are of opinion that he is not a proper person to be in charge eitner of the Temples or the trust properties.

Your humble petitioners are poor and illiterate ryots. They always remain most loyal and peaceloving subjects of His Highness the Maharaja. They look up to His Government and to you, Sir, for protection against the oppression of E.Purushothamanandagiri and for the revival of worship in the Temples at Ganjam.

The petitioners have tendered to your kind inspection copies of records which will show what character Purushothamanandagiri bears, how he has been tyrynising over the ryots, since his advent to the villages. The petitioners are even afraid of paying Kandayam to his hands as there are two claimants and as neither of them keep necessary village accounts nor issue receip for the amount paid.

Therefore your humble petitioners pray:-

(a) That a report as to truth of the allegations made herein and as to the desirability of taking over the management of the trust by the state.

(b) That the management of the villages may be assumed by the Muzrai Department.

(c) That the pious intention of the donor may be carried out by the Government by appointing a paid Peshgar to manage the Temple affairs.

(d) That the properties and persons of the ryots of the villages may adequately protected against the aggressio of Purushothamanandagiri and his lawless followers.

We beg to remain,
Sir,
Your most humble and obedient
Servants.

THE RYOTS OF KHAYAMGUTTA BHARATIPUR
AND KHAYAMGUTTA MARGONAHALLI
VILLAGES.

(copy). have affixed their signatures.

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19-11-1924.

To

Rajamanthra Praveena

A.R.Banerji, Esq., M.A., I.C.S., C.I.E., C.S.I.,

D e w a n of M y s o r e,

B A N G A L O R E.

The humble memorial of the ryots of Bharathipura and Margonahalli Villages, Santhebacha Halli and Kikkeri Hoblies respectively, Krishnarajapet Taluk.

Most Respectfully Showeth:

1. That two villages, viz., (1) Bharathipura situate in Santhebecha Halli Hobli & (2) Margonahalli situate in Kikkeri Hobli, Krishnarajapet Taluk ~~from~~ form Trust Properties for the upkeep and benefit of Sree Narashimheswara Swamy and Sree Rathnaswara Swamy Temples built near Chikka Gosai Ghat in Ganjam by the predecessors of one Someswaragiri who died in November 22 leaving behind him his Chela and successor Ramachandragiri. - The two villages are 950 acres in extent and have a population of over 1,200. The Jamabandy of the two village is Rs.2,000/- and the Khayamgutta payable to Government is Rs. 1.200/-.

2. That the said two vilages stand in the names of the said Deities and until his death Someswara Giri was managing the affairs of the two villages and utilising the income thereof for purposes of worship &c, in the said temples.

3. That his Chela and successor in the office of the Trustee, viz., Ramachandragiri is still a young man having just emerged from minority, has defective eye-sight and is quite inexperienced in wordly affairs. He is therefore incapable of managing the affairs of the two villages and of the two temples who are the beneficiaries under the Trust.

4. That Purushothamanda Giri Gosai claiming to have obtained a decree in a Civil Court against Someswaragiri who had no right in himself to the income of the said two villages and who was only entitled to manage the affairs thereof as a Trustee

Trustee on behalf of the said two temples ~~in~~ harassing your petitioners and other residents of the two villages to such an extent that it has become impossible for them to continue to reside in the said villages where their ancestors were residing from time immemorial, and to lead peaceful lives as law-abiding citizens of the State.

5. That owing to the high-handedness of the said Purushothamandagiri Gosai against Someswara Giri Gosai your petitioners have not been able to cultivate thier lands properly for the past 3 or 4 years and since Someswara Giri's death they have been unable to pursue thier ordinary avocations owing to various proceedings which the said Purushothamandagiri Gosai has started against your petitioners in both Civil and Criminal Courts, a list of which is appended hereto and some of which are even now pending in several Courts of the Mysore District.

6. That your petitioners had from time immemorial valuable dry, wet and garden lands in thier Khatas as shown in the village accounts and were enjoying the same as Kadeem Tenants paying fixed sums as Kandayam to the Trustee of the two villages. During the past three years your Petitioners are always engaged in attending Courts in Mysore, Seringapatam, Krishnaraja Sagara and French-Rocks to defend themselves against the proceedings which have been most unjustifiably started by PurashothamandaGiri Gosai. Your petitioners have been in consequence forced to neglect the cultivation of ~~thier~~ their lands which have depreciated in value considerably. In course of time, the slender resources on which your petitioners have been maintaining themselves will become exhausted, thier lands will become absolutely useless and your petitioners will be forced to abadon the two villages and migrate elsewhere where they can carry on thier agricultural work without being molested or hampered by any one. The un-ending litigation started against your poor petitioners by the said Purushothamanda Giri Gosai has the effect of depriving them of the credit your petitioners possessed until three years ago for raising necessary capital for agricultural operations or loans for thier domestic purposes.

7. That one Venkata Rao, the Shanbhog of Bharathipura, has become

become a tool in the hands of purushothamanda Giri Gosai and at the latter's instigation has been carrying on proceedings in Criminal Courts against some of your petitioners. There is no harmony between the village Officials and the ryots, because the village Officials whose duty it is to be loyal and obedient to Ramachandra Giri Bavaji the Chela of the previous Trustee Someswara Giri, have begun to ignore him because he is a mere boy with no experience of wordly affairs and have been acting collusively with Purushothamanda Giri Gosai who has absolutely no right to be a Trustee of the endowed properties, to the great detriment and prejudice of your petitioners and other residents of the two villages.

8. That the distrust in the village Officials is so great that your petitioners do not consider it safe to pay kandayam due by them, to thier hands for the lands in their enjoyment, as it has become evident by the said Officials' conduct that the collections made by them are not handed over to the Chela and the present Trustee Ramachandragiri or used for the maintenance of or for performing the worship at the aforesaid two temples.

9. That your petitioners learn that the Jodi due to Government has fallen into arrears. They have no confidence in the village officials and have not paid the kandayam since the death of Someswaragiri. Your petitioners have notbeen able to carry on, at proper seasons, thier agricultural work without hindrance. They cannot collect enough money to pay thier kandayam if the same should fall into still larger arrears.

10. That on the representation of your petitioners and others residing in the two villages, that thier lives and properties were in jeepardy, Government were pleased to station two Police constables in Bharathipura Village for the safety of your petitioners for some months and the Police-men were with drawn only a couple of months ago.

11. That your petitioners submit that in the peculiar circumstances in which they are situated, hey can only look up to this Benign Government for help and protiction against the high-handed actions of an individual who has no legal right to the endowed properties

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properties and who by threats of violence to life and property is trying his level best to assert claims over your petitioners and also the lands which have been in thier possession and enjoyment from time immemorial.

12. That your petitioners also submit that if this harassment on the part of Purushothamanda Giri in Civil and Criminal Courts - should. to the great misfortune of your petitioners, continue, your petitioners will have no option but to abandon the two villages - altogether taking away with them thier families and seck shelter in some Government Villages.

13. That your petitioners further submit that this is a fit case in which the provisions of the Mysore Muzrai Regulation have to bep put in force and that immediate action on the part of Government is called for.

14. That your petitioners also submit that in the best interests of the aforesaid two temples the two villages which form the endowed properties will have to be immediately taken charge of by the Government, the affairs of the two villages will have to be put on a proper basis and the security of the lives and properties of your petitioners will have to be re-established.

15. That your petitioners also submit that they will be ever ready and render Government any help that may be required of them in arranging for the proper conduct of worship in the said two temples.

16. That some of your petitioners submitted a memorial to Government in October 1923 praying for suitable protection against the the high-handed conduct of Purushothamandagiri Gosai and over since the presentation of the said memorial the troubles and inconveniences to which your petitioners are put have increased a hundredfold.

WHEREFORE your petitioners most humbly and respectfully pray that in the exercise of powers vested in Government by the Mysore Muzari Regulation 1913, this Hon'ble Government will be - pleased,

(1) to take-over the management and possession of the two

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two villages and thereby ensure the safety of the lives and properties of your petitioners and also,

(2) to make suitable arrangements for the proper conduct of worship and other religious ceremonies in the aforesaid two temples which are the sole beneficiaries of the endowed properties.

S C H E D U L E.

A. Criminal cases started by Purushothamanda Griri and disposed of

(1) Frech-Rocks II Class Magistrate's Court Cr. Case No. 89 of 21-22.

(2) Krishnarapet Amildar Magistrate's Court Cr. Mis No. 4 of 21-22.

Purushothamanda Giri was ordered on 4-1-22 not to enter on lands in the possession of some of your - petitioners.

3) French-Rocks Special II Class Maginstate's Court, Cr. Case No.152 of 22-23. Shanbhog Venkata Rao vs 12 ryots for theft &c., Accused discharged on 4-9- 22.

(4) Krishnarajasagara I class Magistrate's Court Cr. .Mis. No.10/21-22 Purushothamanda Giri Gosai -Vs- Patel Kempe Gowda & 8 others.

Order on 8-12-23 delcaring that the ryots were in possession and should be distrubed. Thisorder was confirmed on 21-2-24 by the Chief Court in Cr.R.P. 91 of 23-24.

(5) French-Rocks Special II Class Magistrate's Court Cr. Cases No.162 & 179 of 22 - 23.

" B " CRIMINAL CASES NOW PENDING.

(1) Mysore Special First Class Magistrate's Court Cr. case No. 69 of 23-24.

Purushothamanda Giri Gosai -Vs- Kempegowda and 10 others.

"C" Civil cases recently filed by Purushothamandagiri Gosai and now pending.

(1) Original Suits Nos.742,744,808, 809, 816, 819, 821, 822, 850, 873, 831, and 944 in the file of the Seringa-patam Munsiff's Court.

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In the Court of the Deputy Commissioner, Mysore Distri

Present:—

A. V. Ramaswamy, Esq., B.A.

Deputy Commissioner, Mysore Distric

Dated this 20th day of September 1926.

Muzrai Miscellanious Case No. 399/24-25/4-116/A.C

Petitioners

Ramachandragiri Gosai and the ryots of Bharatipur and Margowdana Halli Villages, Krishnarajapet Taluk.
(Represented by Mr. G. Venkata Narasimhiah)

Counter petitioners

Mr. S. Purushottama Anandagiri Gosai Mysore city
(Represented by Mr. K. Ra Swamiah, B.A, B.L. Advocate)

Facts of the case

The ryots of Kayamgutta Bharatipur and Margowdana Halli Villages in Krishnarajapet Taluk waited in deputation on the Dewan at Mysore on 30-10-1923 to represent their grievances of mismanagement of the above Villages by Mr. Purushottama Anandagiri Gosai. A note on the facts of the case was, as called for prepared and submitted on 28-10-1923 to the Dewan through the revenue commissioner (who was also a Mysorean) on the available references then on hand. A copy of the note is put up in the file

The memorials addressed to the Dewan by the ryots of Bharatipur and Margowdana halli Villages were subsequently referred to this office by the Muzrai Commissioner on 12-12-1923 for a report on the points urged therein. Among other things they represented in the memorial that they have been in the enjoyment

of lands in their respective holdings from time immemorial Kadim Tenants and that the claim over them newly set up by Mr. Purshottama Anandagiri Gosai who succeeded to the Trusteeship recently was frivolous and untenable and prayed that their interests be guarded. The representation is full and contains all details

From the extract of the Taluk Quit Rent Register it is seen that the two villages above referred to, (which were said to be originally personal Inam granted to Aliya Lingaraja & Urs) have been classed as Devadaya Inam during the Inam settlement of 1879-80 for the benefit and support of Sri Narsimheswara and Rameswara temples at Chikka Gosai Matt, near Ganjam Seringapatam Taluk.

How the counter petitioner came to be in possession and enjoyment of the Villages detailed in representation. Briefly stated Someswara Giri Gosai, Chela of Venkatagiri Gosai, the original purchaser of the Villages made over the two Villages to the management of Mr. Purushottamanandagiri Gosai under a Registered Release Deed dated 1st Oct 1917 on account of extreme old age and the accumulation of heavy arrears in the Villages. The said Gosai also deposed to the same effect before the Amildar of Krishnarajapet Taluk on 1st October 1917 immediately after the execution of the Release Deed Someswara Giri Gosai seems to have attempted to make the void or operative and to have executed another document dated 6th December 1917 in whose favour and stipulating what

conditions this document was executed is
not to be learnt as no copy of it is found in
the file.

Having thus been divested of the manage-
ment of the Villages Mr. Purushottama Ananda
giri Gosai filed a suit (O.S. No. 560 of 1917-18) in the
Subjudge's Court, Mysore and it was decreed
on 16th March 1921 that "the management of the
Villages do belong hereafter to plaintiff (Mr. P.
Bavaji) and that the plaintiff do also manage
the temple at Ganjam and Aradhana as
as per Sanad etc."

The deputationists refer to a compromise
according to which they say Mr. P. Bavaji became
entitled the rights of Someswaragiri Gosai during
his life time only. But a copy of this Compromise
could not be found in the records

Someswara giri Gosai died on 22nd November
1922 and was succeeded by his chela Ramachandra
giri Gosai between whom and Purushottama
Ananda giri Gosai, all subsequent correspondence
and interminable disputes have arisen.

Being confronted with opposition and
frustrated in his attempts to oust the ryots from
their enjoyment of the lands Mr. Purushottama
Ananda giri Gosai seems to have been harassing the ryots
in all manner of ways and this has also occasioned
the filing of many criminal petitions and counter
petitions by Mr. Purushottama Ananda giri Gosai and
Ramachandra Arya Gosai and his partisans -
respectively to the detriment of the Villagers in
and the Well being of the Temple at Ganjam.

While the matters stood thus, Mr. Purshottama Ananda gri gosai petitioned the Deputy Commissioner on 1st April 1921 praying that Survey and settlement might be introduced into the Villages and after much protracted correspondence between the ~~Survey superintendent~~ Taluk and Subdivision offices a recommendation was submitted to Revenue commissioner in Deputy Commissioner's letter R. Ret. 1827/20-21 dated 26th September 1921. Some correspondence between the Survey Superintendent and the office took place on the subject. Latterly in reply to a communication sent up by the Revenue Commissioner, the Revenue Secretary to government while observing in his letter No. R. 1625/L. S. 14-13-6 dated 5th Oct 1923 "that the Villages are Devadaya Inams, but Mr. Gosai claims them as his own and wants on such claim, the introduction of Survey and settlement into the Villages" requested that the applicants claim should be enquired into and a definite decision arrived at before sanctioning his request.

Meanline ~~Swamy~~ continued default in the payment of arrear and current gutta and cesses due to government, Mr. T. Govinda Rao the then Sub Division officer, Krishnaraja Sagara, recommended on 29-7-1922 the assumption of the management of the Villages. This recommendation was viewed favourably by the Deputy commissioner (Sir P. E. Bowring) and a reply (C. C. No. 738 dated 11th October 1922) was sent observing "that in the case of worse default (Mr Setlur's) the Revenue commissioner discountenanced a similar proposal made by this office and refused to move the Government in the matter and that the assumption of the Villages involves heavy responsibility on the officers concerned who will be answerable to the owner for (a) effective administration there of ~~correct accounts~~ and of the temple affairs (b) Maintenance of correct accounts and (c) adds no little work to the Taluk and Village Staff.

The question of assumption of management was therefore dropped.

Again, another petition was addressed to the Dewan in November 1924 by the ryots of Inam Bharali pura and Margowdanahally Villages on the alleged mis-management of the Villages by the ~~complainants~~ petitioners. This was also received in this office on 17-12-1924 with Mysore commissioner's

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letter No. C 490/23-24 dated 5/11-12-1924 for a report on the following points :-

whether the two Villages above referred to are Devadaya Inam

2. Whether the institution for the support of which the Villages are ~~assigned~~ assaigned are properly maintained and the object of the grant is fulfilled

3. Whether the jodi due to government on the Villages is being regularly paid by the manager, or, is in arrears and if so, to what Extent.

The Amildar of Seringapatam Taluk who was directed to inspect the Temples and submit a report as to their condition, reports that it is ascertained that Services are not quite regular in the institutions, that some repairs had been done to the Temples quite recently that the institutions are not under Government management, and that owing to the alleged mismanagement of the affairs of the temples, on the part of manager Mr. Purushottamanada ~~illegible~~ it is better to take them under Government management together with the endowed properties.

The Amildar of Krishnaraja pet Taluk who was directed to inspect the Villages and report on the points referred to in query (No. 3) above, reported that the jodi on the Villages was in arrears to the extent of Rs 3083-6-1 upto the end of 1923-24, that quite recently a Sum of Rs 500/- was paid by the manager towards the said arrears, but that the Vakil valoan Mr. Purushottamanada giri Gosai was allowing the Revenue to fall into arrears with some object in View &c.

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On his recent report dated 14-9-1926 the Amildar has stated that a sum of Rs 4092-1-8 is in arrears against Bharatipura and a sum of Rs 2041-10-5 against Mangowdanahalli up to end of 1926-27.

The Inam enquiry Records were also called for. The Sub division officer French Rocks also submitted a detailed report in his R.O.M. No. H.C. 2022/24-25 dated 9-1-1925 as called for, on the several points urged in the Petition.

The Inam Quit Rent Register shows that the Villages are Devadaya Inams since 1897 (when the Villages were surveyed and settled) and are exclusively for the support of the afore said worships

The Case was first posted for hearing to 14-1-1925 and continued till 29th June 1925

The following witnesses were examined for petitioners:-

1. Chikka Kariyanna of Ganjam
2. Subbiya Naidu of "
3. Venkatachal Madaliar "
4. Subba Dekshit "
5. Subba Raya "

The following witnesses were examined on behalf of the counter petitioners:-

1. Aswatthanarayanappa of Ganjam
2. Subbaramiya "
3. Baliya "
4. Srenivasiah "
5. Giriappa "

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on the file of the Special 2nd class Magistrates Court French Rocks

The following is a list of Exhibit filed by the Counter-petitioner

1. Kharch Patti dated Nil
1(a) - do - " 13-8-921
" (b) Visavadapatti " 13-11-921
" (c) Kharch Patti of the year Ommali
" (d) - do - - Do -
" (e) - do - dated nil

II Jama Kharch Patti dated 19-2-1900

III Mr. Purushottamanandagiri's letter to Narasimhiah dated 5-4-21

IV Receipt given to Mr Purushottamananda giri gosai by S. N. Aswatha Narainiah dated 4-2-2

" (a) - do - " 11-8-23
" (b) - do - " 29-9-23
" (c) - do - " 17-11-2
" (c1) Mr. Purushottamananda gungosai's letter dated 20-9-21 to Narasimhiah
" (d) Receipt given to Mr. Purushottamananda giri gosai by Mr. S. N. Aswatha Narainiah on 21-7-23
" (e) - do - - do - on 24-3-23
" (f) - do - - do - on. 16-12-22
" (g) - do - - do - on 20-11-22
" (h) - do - - do - on 13-1-24

V Thimmaiah's letter to Mr. Purushottamananda ... gosai dated 13-3-1925 →

XXIV Copy of Sud

XXV Copy of Khelwar of 1891-92

XXVI Copy of Someswara guru's petition addressed to the Amildar of Krishnaraja-pet Taluk on 1-10-17

XXVII Copy of Statement of Someswaraguru before the Amildar of Krishnaraja-pet Taluk dated 1-10-17

XXVIII Copy of Statement of Sri Sri Sri Ishwara Ramananda Sri Gosai dated 1-10-17

XXIX Receipt granted by the District Treasury officer dated 5-10-17

XXX Mr Purushottama Ananda Guru Gosai's application to the Amildar of Krishnaraja-pet Taluk (1 to 20) dated 6-10-17. &c.

XXXI Copy of Someswara Guru's application addressed to the Deputy Commissioner Mysore dated 24-3-21

XXXII Copy of Complainant petition in C.C. No. 89/21-22 on the file of the 2nd class Magistrate, French Rock

XXXIII Copy of petition addressed to the Deputy commissioner, by the Villages of Bhartipur dated 10-5-1922

XXXIV Copy of Petition addressed to the District Magistrate, Mysore by Doddegowda dated 4-11-1921

XXXV Statement of account dated Nil

XXXVI Someswaragiri's deposition in O.S. No
56/17-18 on the file of the subordinate
Judge Mysore

XXXVII Copy Mis Appeal in ex. No. 1114/23-24
on the file of the Sub Court, Mysore

XXXVIII Copy of order in ex. case No 1114/23-24
on the file of the sub court Mysore

XXXIX Copy of Rajinama decree in O.S. No
56/17-18 on the file of the Subjudge. Mysore

XXXX Endorsement No 36/dated 25-6-25
from the Sub Registrar's office, Krishna
Rajpet to Mr. Purushottamanandagiri gosai

XXXXI Copy of Release Deed dated 1-10-17
executed by Someswaragiri in favour of
the counter petitioner

when having both sides were closed and
at the stage when the case was posted for
arguments on 27-7-25, one Sumeru giri gosai
chela of Raghunatha giri gosai presented a
Petition before this office on 15-7-25 stating that
Ramachandra giri gosai (one of the petitioners)
died on 8-6-1925 at Bhandipur, That he is
the nearest Varasdar of Ramachandra giri
that he has every interest in the well being
of the institutions of and their endowed properties
and prayed that the management there of be
taken over by government in view of Mr. E. Purus
shottamanandagiri's mismanagement the
Petitioner was informed that the case was posted for
arguments on 27-7-1925 and that he might also
be present at the time if he wanted. This petitioner
name was also ordered to be brought on record

After hearing the arguments on both sides the
Court pronounced the following

Order 12

This is a Muzrai enquiry arising out of a report called for by the Government on certain petitions of the ryots of Mangowdna hally and Bharalipur Villages (originally Kalayam gutta but now Devadaya) in the Krishnarajapet Taluk. The Villages in question were kha[illegible] the Villages originally granted to Alia[illegible] Kalinga-Raje urs in 1828 for personal [illegible]. These Villages were sold by the palace authorities in 1872 in clearence of the years debts and were purchased in auction by one Venkatā giri gosai, desciple of Ramagiri gosai for Rs 5465 on the 3rd October 1872. This Venkata giri gosai got the Villages converted into Devadaya Inam at the Inam settlement and entered in the name of Narsimha Swamy and Rajeswara and situated at Ganjam. (Vide Inam enquiry record of 1878-79) Exhibits XIX and XX

After Venkatā giri gosai, his desciple Someswara giri gosai managed the institution and estate. On 1917, the said Someswara giri gosai executed a release deed in favour of Purushottamanand giri gosai (opponent) in respect of these Villages and after litigation possession of the Villages was transferred to the latter by a Consent decree (Rajinama decree) on 16th March 1921.

3. The enquiry now held is under Section 8 of the Mysore Muzrai regulation to find out whether there has been grassand persistent mismangement of a religous or charitable institution dedicated for the benifit of the public or a defined Section of the public or any property pertaining there to, and whether any action under sec-9 of the said Regulation is called for. The part of this Court

Before proceeding to record findings on the issues, it is necessary to consider certain preliminary questions as to jurisdiction and procedure raised by the opponent

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4. First, the opponent raises the point that the Mysore Muzrai Regulation cannot be applied to the Institutions at Ganjam as they are not Muzrai Institutions. A Muzrai Institution is defined in section 2 (1) of the Regulation as including an Institution "for the support of which any annual grant is made from the public revenues or an Inam has been granted and is recognised and registered at the Inam settlement as a Devadaya or Dharmadaya grant." In the present case, the Inam is registered at the Inam settlement as a Devadaya grant. But it was not granted to the Institution by the Government or the Ruler and therefore I agree with the opponent in holding that these Institutions or gain Inam are not now Muzrai Institutions and the villages are not the property of Muzrai Institutions.

5. But this finding, does not by itself exclude the applicability of the Mysore Muzrai Regulation to this case. The Regulation does not apply only to Muzrai Institutions, but also provides "for certain remedies in respect of Religious and charitable institutions" (vide Preamble) Chapter II in which Section 8 and 9 occur is headed 'Provisions Relating to Religious and charitable institutions" or not to Muzrai institutions only. In the whole of that chapter, it is only sections 14 and 19 that apply to Non Muzrai institutions only also. For example the very first section of chapter II i.e Sec. 3 relates to religious or charitable trusts (not being Muzrai Institutions)

6. I therefore overrule the objection that because the Narasimheswara and Rameswara Temples at Ganjam are not Muzrai institutions, an enquiry under Sec. 8 of the Mysore Muzrai Regulation is not available in respect of the properties endowed to them. If and if the conditions of Sec. 8 of the Muzrai regulation are fulfilled an enquiry is available even in respect of an institution not coming under the definition 'Muzrai Institution'

7 The next point that was raised was that a reference under Sec. 4 of the Muzrai Regulation or under Sec. 92 of the code of civil proceedure should be made to the District Judge's court, rather than take action under Section 8 of the Muzrai Regulation. Section 4 of the Muzrai Regulation relates to cases of dispute, "whether any charitable or religious trust has been actually constituted". In this case, the constitution of a Trust is admitted on both sides, but while the opponent contends that it is a private trust the opposite side contends that it is a public trust. As the existance of the trust is not an issue in a reference to the District Judge's Court is called for. Sec 92 of the civil proceedure code does not supplement the Mysore Muzrai Regulation but only supplements it and it need not be availed except when such action is considered the most suitable. There are no recorded authorities as to when Sec 92 of C.P.C. should be invoked in respect of a trust of a charitable or religious nature for public purposes and when action may be taken under Section 8 of the Mysore Muzrai Regulation. But in view of the direction of the Government to take action under the Muzrai Regulation and the calling of a report and in view of the availability of relief under this regulation, I see no reason to deal with the case under Sec 92 civil proceedure code.

8. The petitioners contend that the case may be dealt with under Sec 3 (2) of the Muzrai Regulation i.e., that the Government do undertake the management of the ~~management~~ institutions as the trustees provided by the instrument of trust or actually in charge of the institutions all expire or disclaim. The petitioners urge that after Someswara giri's death, there is no valid trustee, as the transfer in favour of Purushottamananda giri gosai is patently invalid under the law (Vide 7 Mad. L.J. 485, 7 C.W.N. 165, 6 Mad 76, 15 Mad, 38 and 19 Mad 3 89 and 19 mad. 21, and 1923 Mad Rep. 1 Cal. 30) and as Purushottamananda giri also contends that Ramachandra giri. In the alternative they urge that if Rama chandra giri is considered a valid trustees, as he has prayed to Government for assuming management (Vide his petition of 19-11-1924) his prayer may be granted and management assumed under sec. 3 (3) of the Muzrai Regulation. The opponent urges that is

government have accepted him as manager and collected revenue from him for the Villages. Government cannot now refuse to recognise him as a valid trustee. I cannot in this respect accept the opponent's contention. The question of his title as manager was not directly in question & till now Dealings with him on the Revenue side if any, cannot create an estoppel in his favour in an enquiry under the Thuzrai Regulation which is now held for the first time. His title to the Trusteeship has to be tested under the Law of the land and cannot be validated merely by certain dealings with 3rd parties or even the Government unless the right has accrued under the ordinary general law applicable to Trustees. The weight of legal authority against the opponent is overwhelming and my finding is that Someswaragiri's very act of release and consent to compromise decree constituted acts of mismanagement justifying action under Sec. 8 of the Mysore Thuzrai Regulation. Judicial authority is very definite that trusteeship cannot pass to a third party even by a consent decree of a Court.

9. The opponent has urged a still further preliminary objection, namely that as the alienation of the estate by Someswaragiri took place in 1917 or at the latest on 16-3-1921. the date of consent decree, and as the petitioners have moved the authorities only on 18-12-1922 the benifit of Sec. 10 of the Thuzrai Regulation would be available for the opponent and he should not be disturbed from possession.

In the first place, as the petitioners have rightly pointed out, the first petition in this respect was filed on the 6th Nov 1923, ie within a period of 12 years after the consent decree. But there is a fallacy in the opponents contention. Section 10 of the Thuzrai Regulation relates to transfers as of right and not to transfer in trust. The opponent has not contended that the villages were handed over to him as his private property. He only contends that the management of the villages is trust for the institutions at Ganjam passed to him under the Release deed and the consent decree. Sec 10 of the Mysore Thuzrai Regulation does not avail him no length of possession as trustees can create a right in him adverse to the object of the trust

10. Having disposed of the main legal arguments and preliminary [illegible] I shall now address myself to the evidence on record and the [illegible]

that there is a trust subsisting in respect of the two temples at Chikkagosai ghatt, Ganjam and the two Khajamanitta villages, Bharalipura and Margowdana halli villages of Krishnarajapet Taluk admits no doubt. The very nature of the present tenure of these villages is Devadaya and the act by which Venkata giri gosai got these villages entered as Devadaya for Narasimheswara and Rameswara is itself an act of dedication and creation of trust. Once a village is entered as Devadaya all the special incidents of that tenure attach to it. The special incidents are well stated in the Inam rules now in the force of law and one of them is the right of the Government, independently of the Muzrai Regulation to assume management when the object in view (i.e.) the nominal proprietor deity) is being neglected by the Vahivatdar, Pujari or Trustee. There are corresponding advantages in this tenure one of which, for example is that such villages can not be sold for arrears of revenue.

11. The contention in this case is firstly that the temples are private ones not dedicated to the public, and secondly that there has been no neglect.

On the first point, it has first to be stated that even if the temples were private ones. Government could intervene and assume management under the Inam Rules, if the neglect be proved. But there is no doubt from the evidence on record that the temples are public ones, ie, temples dedicated for the use of the public.

The counter petition raised the point that these are Samadhi temples, that is that lingams are set up over the Samadhis of Narasimhagiri Gosai and Ratnagiri gosai. But this has not been proved by evidence that, ordinarily, the bodies of deceased Gosais is disposed of by being thrown into the river and not by interment. There is no evidence that in the case of the 2 gosais above referred the disposal was different. The counter petitioner has not produced oral or documentary evidence in support of his contention. The evidence of the counter petitioner's witnesses on this point is vague and unconvincing. He sought to urge that as these were Samadhi temples, the public had no right of access to them and they would not also

use them as their Worship or dinary temples for Worship. But in this court even his own witnesses have given him a go by. His own two out of twelve witnesses (C.P.W. 10 and 11) that they do not go to these temples for worship as they are Samadhi temples C.P.W. 9 Narasimhiah is not equally emphatic but merely says that Worship with water and [illegible] is being carried on and there is no deep-dhupa or [illegible] nedana. there three are contradicted by the [illegible] other witnesses of the counter petitioner C.P.W. Aswathanarayana, Archak denies that there are not Samadhi temples and that all the public resort to them and Worship is being conducted according to Shastric rules. C.P.W. 3 admits that people of all communities of Ganjam use to get Worship and Santarpane done by Brahmin in these temples and that he takes Theertha and Prasada in these temples though they are Saivite temples. C.P. Sreenivasiah admits he used to go to these temples for Worship. C.P.W 5 Girappa speaks to Santharpanes having been conducted and his having taken part in the C.P.W. 6 Yellappa says he goes to the bathing ghat attached to the temple for Upakarma, that Brahmins Worship in the temple and that he (Kshatriya) is not admitted inside. C.P.W. 7 Mr. Nanjundiah, a clerk under Maheshagiri gosai also admits that that 'many people go to the temple for Worship without any restriction; any body may go and get Worship done; all Ganjam people go to the temples". He admits he has taken Theertha and prasada in the temples though gosai temples. C.P.W. 8 Hanmia's evidence also is to the same effect that the public have been using the temple and that they conduct Samaradhanes and [illegible] Shekawat any body's restriction.

Further the counter petitioner's present contention is contrary to his disposition in the French Rocks Magistrate's court that there is no Rathagiri Samadhi at Ganjam on the banks of the Cauvery.

12. While the contention that these are Samadhi temples is unproved the fact that these temples have been used by the Ganjam people and others

In the court of the assistant commissioner and 1st class magistrate Krishnarajanagara Sub division — Krishnarajanagara —

present C. Lakshmana Rao Esqr. B.A.B.L.
1st class Magistrate.

Dated 8th December 1923

Cri. Misc. no: 10 of 1921-22

1st party

Purushothamanandagiri Goswami.

2nd party.

1 Bharathipur patel Kempegowda
2 Sandi Dyavegowda.
3 Gangai Siddappa Setty.
4 Vara Ramappa Kempegowda.
5. Sollepura Ranjegowda
6 Mariah Lakshman Rao
7 patel Doddegowda alias Kempegowda
8 His brother Karigowda
9 His brother Kale Gowda

(7, 8, 9 residents of Hemmanahalli)

Order

The 1st party Purushothamanandagiri Goswami who is the Khayam pattadar of Bharathipur village Krishnarajapet Taluk lodged a complaint on 11-5-1922 stating that the village of Bharathipur came to his possession on 16-3-1921 as per decree in O.S. 46 of 1917-18, that the members of the 2nd party

with the object of getting the ownership of all Balaji and other lands in the village joined with one Someswaragiri in lodging a complaint against him in the Frenchrocks Special Magistrate's court, that the case ended in a discharge, that later the members of the 2nd party helped by Someswaragiri removed fruit trees from the Balaji lands, that he lodged a complaint through his Shanabhogue against them in the French Rocks Special Magistrate's court and that that case is pending; that when he sold his share of the Sugarcane crop in the Balaji lands there were complaints and that the amildar magistrate passed an order under Sec. 144 that on the strength of this order 7th, 8th and 9th members of the 2nd party and others took away the crop, that the members of the 2nd party are trespassing on the Balaji lands and causing obstruction and therefore proceedings have to be instituted under Section 145 Cr.P. code by ensuring attachment of the lands mentioned in the schedule viz survey no. 14, 15, 16, 19 and 20.

The petition was referred to the police for enquiry and report. The police reported that action under Section 145 was necessary as it was the ploughing time and both parties are keeping to enter upon the lands and that breach of the peace was apprehended.

A preliminary order was passed on 19th may 1922 directing the parties to put in written statements and adduce evidence as to the fact

of possession of the Survey numbers mentioned in the complaint

As an emergent measure the properties viz Survey no: 14, 15, 16, 19 and 20 were also attached and the amildar Krishnaraj pet was appointed a receiver

The 2nd party presented a petition on 15.6.1922 stating that the village of Bharalipur is not a settled village, that the 2nd party own extensive lands in the village, that the boundaries of Survey no: 14, 15, 16, 19 & 20 are not given that as the description of the lands are not given it is not possible to put in written statements and adduce evidence and that therefore the 1st party should be asked to definitely state the boundary and the Sub numbers of the lands in dispute.

The 1st party put in a reply petition on 1-7-1922 stating that the lands in dispute are wet and bagayet lands, that all such lands belong to the Inamdar, that it was not possible to state who among the 2nd party want to trespass on what lands that Survey no. 13 was omitted to be mentioned in the complaint petition and that the dispute relates to all the Survey numbers mentioned in the schedule as well as to Survey no. 13 On this orders were issued on 3.7.22 attaching S. no. 13 as well.

Before proceeding to the evidence in this case it is necessary to state the history of attachment proceedings in this case Reports were sent from the amildar who was appointed Receiver bringing to notice the difficulties in the way of the execution of the attachment order.

A petition was presented by about 33 persons to the district magistrate on 18.10.22 stating that though they are not parties to the case the lands which have been -- their possession and enjoyment have been attached by the order of this court and that the order of attachment so far as their lands in possession should be raised. This petition was sent to this court.

1st. party presented a petition on 20-10-22 stating that the order of attachment was legal and that all persons now seeking to get portions of their lands released from attachment may be brought on record as 2nd party and the case proceeded with.

On 30.10.22 the court ordered that the attachments of lands belonging to persons in connection with this case was not lawful, and that the receiver is to be informed that attachment of entire survey no 13, 14, 15, 16, 19 and 20 is cancelled and that attachment should be confined to portions of survey numbers details in the appended schedule. This schedule is nothing but the schedule given in the written statement of the 2nd party admitting possession of the lands mentioned in the schedule.

The amin has published the order cancelling the former attachment and made a further report bringing to notice certain doubts in working this order and requesting clear instructions as some of the properties were not in the possession of persons joined as 2nd party and as the boundaries given were insufficient for identification.

On 22-11-22, 1st party put in an application stating that the court was not competent to order the release of the properties which were attached before, that urgent action under Section 144 Cri. Pro. code was necessary regarding the properties released from attachment as persons were trespassing on the land or in the alternative to attach them once again initiating regular proceedings under section 145 Cri. Pro. code

The court passed an order on 24.11.22 stating that as the subject matter of the dispute was not defined with sufficient accuracy proceedings under Section 145 Cri. Pro. code could not be instituted as requested and that there was no sufficient reason for taking proceedings under Section 144 Cri. Pro. Code.

On 2-1-1923 the court on the report of the receiver ordered that any such properties as are in the actual possession of any member of the 2nd party and which admit of easy identification should be attached and reported for the information of the court

To this order the amildar attached on 10-2-23 the lands in the possession of the following persons of the 2nd party viz 1. patel Kempegowda 2. Bandi Gyavegowda 3 marati Lakshmana Rao 4. Varadappana Kempegowda and Achamanahally patel Doddegowda in all about 14 acres in extent. At the time of attachment there was sugarcane crop and to a small extent paddy crop on the land and the amildar has taken much advantage from them regarding the rent they have to pay

Though the Village is not a settled one, it is seen from the accounts of ~~XXXVI~~ maniamco of the Village and admitted by the 1st party that the Valuation Survey numbers are subdivided into smaller Sub-numbers in which the extent is clearly shown. The 1st party though he knew the existence of these subnumbers and the names of persons in possession wantonly kept back this information fearing that the admission of subnumbers would go against him and restricted himself in specifying the Valuation Survey numbers. If the subnumbers had been mentioned the lands and the persons in possession could have been easily known and there could have been no difficulty in attaching the lands under dispute.

The 1st party is also to blame for the manner in which the attachment proceedings were conducted in this case.

The 1st party filed his written Statement on 28-8-22 and on the same date the 2nd party filed his written Statement. Ten witnesses were examined on behalf of the 1st party including the 1st party and 8 witnesses were examined for the 2nd party including some members of the 2nd party. A number of exhibits have been filed on both sides.

The Vinnye of Bharatipur is a Kayam Gutta Village in the Krishnarajapet Taluk. About the year 1878 this Village was endowed for the purposes of certain Services in the temples of Sri Lakshmi at Ganjam by one Venkatagiri Gosai. He was managing the Village for some time and after him one Someswaragiri succeeded. Someswaragiri on account of financial troubles transferred the right of management to the 1st party on 1-10-17 by means of a release bond.

The subject matter of dispute in this case

1st party stated before the Special magistrate Branch Rocks that this land in dispute in S. number 14 did not form part of dispute before this court. Later the witness states that survey no 276 is now in possession of Shindhaghatta Nanjundiah and his tenants. He again contradicts and states that the above survey no. is in the possession of his tenants Viz Boregowda, Puttegowda, Kapanigowda and others. On reexamination the witness states that the S. number 14 referred to in Ex P5 is a mistake and it should be survey no. 16 and that the land described in Ex: P5 is in dispute.

Ex. 20 is the statement given by the witness before the taluk amildar. 1st admits having stated before the amildar on 2.1.22 that sugarcane crops were raised out of S. number 13 and 15 in sub nos: 236, 290, 305 and 306. Later he says that the dispute was not with reference to sugarcane crop standing on the subnumbers enumerated above but that grown on survey no 13. contradicting his own statement Ex: 20. Later in reexamination he states that the survey numbers referred to in Ex 20 may be a mistake as he kept no records of them.

On the early part of his ~~early~~ examination he states that at the time of his filing the complaint the lands that had been leased out by him to the opponents were being cultivated by the opponents themselves. Again he says that the lands under the two tanks were in his possession on 8.5.22.

The above instances clearly show how the 1st party is constantly shifting his ground. His evidence is very vague. He is not able to state the extent in occupation of the ryots and under what tenure the ryots lands are held. He states the lands are Kandayam paying lands and he cannot say whether the amount paid by the ryot is the value of the crop due to Sarkar or the Kandayam

Out of the 9 witnesses examined on his behalf 4th, 5th, 7th and 8th witnesses are his own servants who are alleged to have gone from Mysore of Nanjangud taluka with ploughs and bullocks to cultivate the lands in Bharatipur Village in the month of march 1922 and stopped there for a period of 2½ months. They state that they ploughed the land planted sugarcane and sowed ragi

The 6th witness is a patel of a Village in Mysore taluk. He states that he also went to plough with others and stopped in the Village for nearly 2½ months. He says he was not paid anything for his services and adds that the local Villagers were remonstrating with the brother of the 1st party against ploughing up the lands. The evidence of these persons is conflicting regarding the extent of land cultivated and as to whether the surrounding lands were cultivated or not at that time. The 1st witness is the person who purchased half the sugarcane crop raised on the land cultivated by Kempegowda from the 1st party and got nothing for his trouble. He states that after removal of the crop by Kempegowda 1st party's brother got the plot ploughed up and leased it to ryots for cultivation of ragi, paddy, sugarcane etc.

He further states that all the members of the 2nd party are also cultivating portion of land in dispute. He does not state that the servants of the 1st party planted sugarcane and sowed ragi but states that after ploughing 1st party leased the land to Elavahalli villagers. In a general way he states that the wet lands were leased by Someshwaragiri to ryots on Vara tenure. The 2nd witness is a man of Yelavahalli. He is not able to state whether the members of the 2nd party had cultivated at any time any land in Bharatipur Village. He only knows about the cultivation and payment of Vara produce by puttegowda, Boregowda Nanjegowda and Korataghere patel.

These are the persons who purchased the sugarcane crop on the disputed land from the 1st party. The 3rd witness is a retired Deputy Inspector of Vaccination. He had accompanied 1st party to Bharalipur village about the 8th or 9th May 1922 and saw once the servants of the 1st party ploughing up the wet-land below the tank.

The 10th witness states that the lands under the two tanks were in the possession of Someswara Rajiru and that he was leasing the lands to ryots and getting Vara proceeds. He is also one of the persons who bought the sugarcane crop and was disappointed. He has no Khata in Bharalipur and holds no receipts for payment of Kandayam.

The exhibits filed on behalf of the 1st party does not in any way help to prove his possession.

Eight witnesses have been examined for the 2nd party.

The 1st witness is Varadappana Kampa. the 4th member of the 2nd party. He states that he is in possession of his land since the time of his grandfather and that the Khata of the lands stand in the name of his father. He files Ex XI, XII, XIII and XIV being Kandayam receipts for having paid the amount in cash.

Ex XXI is an extract from the Village account no 64 for 1909-10 which shows that the Kandayam was paid in cash. He states he never paid Vara to any body and adds that the land comprised in ex P5 is now in the possession of patnada Ranjeendiah. 1st party admits the signature of Someswara Rao on ex XI and states that Ex 12, 13 and 14 are receipts granted by Bhanabhogue Venkata Rao on his behalf. The receipts though they do not give the name or the sub-number of the

lands give the Khata no: as 24 and 90 which points to the fact that the 1st party has in his possession the Khata of Bharatipur which would show the extent of the holding and the description of the land held by each person in the Village. This important record the 1st party does not want to produce but wants to evade by stating that the Khata is merely a serial number and does not contain the extent and Kandayam. That there was a Khata owning the time of Someswara giri is quite apparent from the no: 14 and 15 accounts maintained for the Village and from the receipts granted by Someswaragiri. Ex: XXXVI is a copy of no: 15 account (the Khata) for the year 1909-10. Khata no: 24 in it is the same Khata under which 1st party has granted receipts ex: XII, ex XIV. The 2nd Witness is Kempegowda alias Doddegowda 7th member of the 2nd party.

He states that the lands under the big tank are in his enjoyment from the time of his grandfather and that the Khata of the lands stand in the name of his father Appegowda S/o Appegowda. One Krishnavadhani had mortgaged his wet and garden lands to his father and these lands were subsequently sold to his father under ex XV. ex XVI is the mortgage deed. In both these documents Someswaragiri has attested which fact proves that the 1st party's predecessor in title acknowledged the title of Krishnavadhani to mortgage and sell the land as his. 1st party says that the signature look like that of Someswaragiri. He does not want to admit the signature as it would go against his interest. The mortgage deed was executed in the year 1906 and the Sale deed Ex XV in 1915.

evidence put in on behalf of the 2nd party it is amply proved that the ryots in this particular village have been paying Kandayam for the wet lands and are in possession as such We are not concerned in this case to know as to how they came to occupy the wet lands

The ryots have been effecting Sales of lands as owners of land and the 1st party's predecessor in title has admitted their right by attesting the sale deeds. It is clear that during the time of Someswaragiri no Vara produce was being paid to him on those lands. He has granted receipts for the Kandayam received by him in cash. 1st party has also granted receipts through his Shanabhogue Venkatalla to some of the ryots. The Khata no. is mentioned in the receipts and 1st party does not want to produce that Khata or even admit that a Khata existed for the village. It may be that his predecessors in title sold away the balaji lands to the ryots but 1st party has to contest this point in a civil court and get back possession of the land which are undoubtedly now in the possession of the ryots.

The period of the order under section 144 Cr.l. Pro. code. expired after two months from the date of passing order i.e. on 5th march 22. 1st party complained to this court on 11th may 22 and he contends that he was in possession during this period between 5th march 22 and 11th may 22 and hence he must be put in possession. The witnesses to prove this fact of possession are all his servants In his complaint to the court on 11th may 22 he has not stated that he had planted Sugarcane and sowed ragi at that time The police Inspector's report is that as it was the ploughing time both parties are likely to

come to blows if action under Section 145 was not taken. I do not believe that the 1st party did anything to take possession of the land after 5th march 1922 or even before that date. This so called possession is nothing when compared to the uninterrupted possession of lands by the 2nd party. He tried to prove possession by selling ½ the crop of sugarcane to his 1st witness and 8 others but this failed as the 7th 8th and 9th members of the 2nd party stoutly resisted. His own statement that he leased the lands to the members of the 2nd party goes to prove that he was not in possession at the date of the complaint It is likely that he attempted to take forcible possession by bringing his men from Nanjangud and Mysore and by threatening the ryots but that he had undisturbed peaceful possession as he wants the court to believe is hard to conceive.

The Village is not a settled one. There was a Valuation Survey. During the time of the 1st party's predecessor's in title the Valuation Survey numbers seem to have been subdivided into smaller survey numbers according to the holding of the ryots in the year 1900-01. This is clear from the remarks made on the last page of no: 15 account Ex XXXVI. There is also a remark made that no jamabandi was held according to this account and that collection is being made as per mamool of previous years and that the actual collection being made as per account no: 14. Ex XXI, XXII, XXIII, XXV and XXVI which are the extracts from no: 14 accounts tally with

the entries made in Ex XXXVI the remark explains the difference in the collection of assessments but does not in my opinion disprove the fact that the ryot was paying assessment according to the sub-numbers as mentioned against each khulle. The remark that the assessment was being collected as per manool of previous years shows clearly that the assessment was paid in cash and not in the shape of grain 1st party states that no account was given to him and that he has himself not maintained any accounts. If this is the case it is not clear how he collected the assessment from the ryots and on which basis. The receipts mention the khate as well as the year for which assessment was paid. It can not be believed that he was collecting the amounts haphazard without reference to any previous accounts

From a consideration of the evidence let in this case and from the incontrovertible documentary evidence exhibited by the 2nd party I am inclined to believe that the second party was in undoubted possession of the lands in dispute at the time of the passing of order and even long before that. 1st party coming to know the nature of the tenure held by the ryots attempted to gain possession of the lands somehow and he has signally failed

He stepped into the shoes of Lamesw aragere and can only take possession with all the rights and liabilities as existed at the time he came into the possession according to the compromise decree. He can not set up inconsistant claims without recourse to a civil court but must recognise the actual state of things that existed at the time of the compromise decree. Whether right or wrong the members of the 2nd party have been in possession of the lands in dispute for a long time paying Kandayam to the Inamdar. Their possession must be recognised and this court can not go into the question of their title to the lands they have not been dispossessed of their lands by the 1st party and are continuing in possession

Considering all the above circumstances I decide that the members of the 2nd party were in possession of the subject-matter of the dispute at the date of the preliminary order and I therefore declare the members of the

19 2nd party to be entitled to the possession until evicted therefrom in due course of law and forbid all disturbance of such possession after such eviction. The attachment of the property is raised and the receiver will give to the members of the 2nd party any produce attached, or any sums held in deposit deducting all reasonable expenses.

Pronounced in the Open Court.

Sd/ C. Lakshmana Rao

1st Class Magistrate

8-12-1923.

K. R. Sagar.

"Copy"

Enclosure : One
No., 589 /26-27.

MEMORANDUM

49 76/P827

From The Public Prosecutor and Government Pleader, Mysore.

To The Chief Secretary to Government of Mysore, camp Mysore.

Dated 25th June 1927.

Sir,

I have the honour to state that in pursuance of letter no., D dated 25th June 1927, received from the Secretary to Government, Law Department, camping at Mysore, requesting me to appear on behalf of defendants in O.S.no., 18 of 26-27 (Purushottamanandagiri Goswami by his Vs 1. Chief Secretary to Government of Mysore, 2. Deputy Commissioner, Mysore District, Mysore) on the file of District Judge's court, Mysore, a vakalat form is herewith sent for being signed by you and Deputy Commissioner, Mysore, and then sent to me. After the vakalat form is signed by you, it may kindly be transmitted to Deputy Commissioner, Mysore District, requesting him to sign it in his turn and then send it to me with a sum of Rs 5/- for the incidental expenses in the case. An early com-

WD 734- GPB—25,000—16-1

[Please reply overleaf

G. R. S. III—3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Secy's orders. 1.7.27
This may be sent to
the Secy Commerce

Submit to engr as c

N. B.—Shouldroutine notes be written on small slips
2the notes must b cipoed, on slips pasted on
this form.

2.7.27

To be placed
The Commodore

Issued. 43 & 4.7.27

P. F. VI. Gl.

UBJECT.....

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Section

File No. 6 & -2-

Serial No. 4

No. 743 (2)

...y No. of letter replied to .....

General and Revenue Secretariat

( )

the 192

Date of issue..... 4/7/27

Signed by..... [signature]

To

The Secretary Commissioner,

Kegalle.

Sir,

In forwarding herewith the Vakalat signed by the Chief Secy to Govt empowering the Public Prosecutor & Govt Pleader, Kegalle, to appear on behalf of defendants in D.C. Avo 18 of 26-27 (Vinchottamanadi Giri Eswaran Chetty Govt Data vs Chief Secy to Govt &c) Kegalle or on the file of the D.C. Judge's Court Kegalle I am

List of enclosures.....

Copied by..... 5/7

Examined by .....

over

directed to request that the same may be transmitted to the Public Prosecutor as required by him in his letter No 589/26-24 dated 26.6.24 (copy enclosed) for further action

I have etc

for Secy to Govt
Law Dept

APP. F. VI. C

SUBJECT..... 5 L

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Section Legal

File No. 66-V

Serial No. 2

No. P. 54

Diary No. of letter replied to.....

To

The Public Prosecutor,

Mysore

General and Revenue Secretariat

( )

the *192*

Date of issue..... 25/6/27

Signed by..... for J. L.

Sir

Re original suit no 18 of 1921-

in the file of the Dt- Judge of Mysore,

I have the honour to forward letter

no 1928 dt 21/6/1927 with a copy

of the plaint from the Dt- Judge Mysore

and to request that you appear

in the case and do the needful

I have the

25/6 Law Secy

List of enclosures.....

Copied by.....

Examined by.....

over

WD 01265—GPB—31,000—24-12-25

380
P827

53

From

The Public Prosecutor and

Government Pleader,

MYSORE.

To

The Secretary to Government

of H.H. the Maharaja of Mysore,

Law Department, BANGALORE.

Dated 15th July 1927.

No., 31 of 1927-28.

Enclosures:- Two.viz, Plaint copy and draft defence statement in O.S.no., 18 of 1926-27 of District Court.

Sir,

I have the honour to enclose herewith the copy of the plaint in O.S.no., 18 of 26-27 filed by Purushottamanandagiri Goswami by his agent K.K. Dutta, in the District Judge's court, Mysore, and the draft of the defence statement prepared by me in answer to the suit. The defence statement may kindly be returned to me after your approval with the plaint copy sent therewith, early as practicable since the case is for hearing on 2-8-1927 and since by that time the defence statement has got to be sent to the Chief Secretary and Deputy Commissioner, Mysore, for their signatures and return.

In paras 5 and 6 of the defence statement, reference is made to sections 8,9 and 10 of the Muzrai Regulation no., VI of 1913 as the Muzrai officer's order shows that he held the enquiry under section 8 and passed the order under section 9 of the said Regulation, and also for the reason that at the time of the filing of the plaintiff's suit it was the Mysore Muzrai Regulation that

P. T. G.

APP. F. VI. Gl.]

SUBJECT.....

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Section Law

File No. 886.27

Serial No 6

No. P 577 (7)

Diary No. of letter replied to.....

To

The Public Prosecutor,
Mysore.

General and Revenue Secretariat
( )
the *192*

Date of issue 22/7/27

Signed by W MW

Sir

I am directed to invite ~~with~~ reference to your letter no 91 of 1926-28 d 15th July 1927, forwarding written Statement to be filed in O.S. no 18 of 1926-27 on the file of Dt Court, Mysore, and ~~I am to request you~~ to state that the written Statement is approved and may be filed

The plaint and the written Statement are herewith returned

I am etc

List of enclosures.....

Copied by.....

Examined by.....

Sec to Govt
Law Dept

22/7

Mac
21/7/27

over

WD 01265—GPB—31,000—24-12-25

From

The Public Prosecutor

and Government Pleader,

MYSORE.

To

The Chief Secretary to

Government of Mysore,

BANGALORE.

Dated 24th July 1927.

No., 54 of 27-28.

Enclosure:- Defence Statement.

Sir,

I have the honour to state that the draft written statement prepared by me in answer to suit no., 18 of 26-27 filed by Purushottamanandagiri Gosai against Chief Secretary to Government and Deputy Commissioner and Muzarai officer,

Mysore, was sent to the Secretary to Government, Law Department, for his approval and the same was received duly approvc with his office letter no., P 577 (2) dated 22-7-27.

So a typed copy of the said defence statement has been prepared and sent to you herewith for favour of being signed by you and transmitted to the Deputy Commissioner, Mysore, for being signed by him also and then returned to me. Since the defence statement has to be filed in court on 2-8-27, I request that the enclosed defence statement may be signed by you in the two places marked(1) and then transmitted to the Deputy Commissioner's office as early as practicable.

I have the honour to be,

Sir,

Your most obedient servant,

Public Prosecutor and Government Pleader, Mysore.

APP. F. VI. Gl.]

SUBJECT.....

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Section

File No.

Serial No

No. P 674(1)

Diary No. of letter replied to.....

To

The P. P.

Mysore

General and Revenue Secretariat

( )

the *192*

Date of issue 28/7/27

Signed by M. D.

Sir

I have the honour to forward / in reply to your letter no. 54 929-28 the Defence Statement to be filed in O. S. 187 28-27 duly signed by the Chief Secretary.

I have etc

25/7 Law Secy

List of enclosures.....

Mag 28/7/27. Asst 28/7

Copied by.....

Examined by.....

over

APP. F. VI. Gl.]

SUBJECT.....

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Diary No. of letter replied to.....

Section

File No.

Seria No.

No. 1100

To

.....

General and Revenue Secretariat

( )

the *192*

Date of issue 10/1/28

Signed By Ramaiya

List of enclosures.....

Copied by.....

Examined by.....

With ref: to his petitio
Dy 17th Dec 1927, the S.
Ranjindiah, Land holder,
Seringapatam is informed
that he may engage a
Pleader at the expense of
the Ryots of the village
to appear with the Public
Prosecutor, Mysore, in
Suit no. 18 of 26-27 filed
by Purushottama Ananda
son of Sa[illegible] against
Govt in respect of Kayam-
field villages awarded to

over

the temples at Chikka-
Sasaki Ghat, Sangam,
Seringapatam Taluk

B.O

9.1.28
1101 9 1-1-28 Asst Secy.

Copy to the
P.P. Mysore, in contn
of this office no. P.674
dy 28-1-28.

B.O.

9.1.28 Asst Secy